

**REMARKS**

The Examiner is respectfully requested to reconsider the restriction requirement as a search for the elected invention would necessarily entail a search for the non-elected invention. That is, Claim 1 is directed to a polysaccharide derivative containing polymerized functional groups, a polymerizable monomer having polymerizable unsaturated groups and a carrier having polymerizable functional groups with the polymerizable polysaccharide derivative, the polymerizable monomer and the carrier being copolymerized with one another. Method Claim 4 is directed to the preparation of the separating agent which involves the steps of copolymerizing the polysaccharide derivative having polymerizable functional groups, the polymerizable monomer having polymerizable unsaturated groups and the carrier having polymerizable functional groups. It is impossible to search Claim 1 without also conducting a search for Claim 4.

With respect to Claims 7 and 8, since Claim 1 is directed to a separating agent and Claim 4 is directed to a method of preparing the separating agent, a search conducted for the subject matter of these claims would necessarily entail a method of separating enantiomeric isomers using these separating agents. Therefore, Applicants once again wish to reiterate that a restriction requirement cannot properly be made with the currently presented claims.

Applicants also disagree with the Examiner's statement that Claim 1 is either obvious or anticipated by JP 4-202141. As discussed above, Claim 1 requires the presence of a polysaccharide derivative having polymerizable groups, a polymerizable monomer having polymerizable unsaturated groups and a carrier having polymerizable functional groups. JP 4-202141 does not disclose the presence of the polymerizable monomer having polymerizable unsaturated groups. Therefore, this reference clearly does not anticipate the claimed invention under 35 USC 102 or even present a showing

of prima facie obviousness under 35 USC 103(a). JP 4-202141 corresponds to Comparative Examples 2 and 3 in the present specification. As disclosed in the present specification, Examples 1 and 2 of the present invention contain the third monomer and have superior separating properties as compared to the separating agent of Comparative Examples 2 and 3. Therefore, the patentability of the presently claimed invention over JP 4-202141 is clearly established by the currently claimed invention.

Reconsideration of the present application and the passing of it to issue is respectfully solicited.

Respectfully submitted,

  
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